

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

David LeRoy Gamble,

Civil No. 09-1681 (PAM/JJG)

Plaintiff,

v.

ORDER

Joan Fabian,
Commissioner of Corrections,

Defendant.

This matter is before the Court on the Report and Recommendation (“R&R”) of Magistrate Judge Jeanne J. Graham dated October 2, 2009. Plaintiff David LeRoy Gamble is a Minnesota state prison inmate who filed a § 1983 Complaint along with a Request for Leave to File In Forma Pauperis (“IFP”). Magistrate Judge Graham recommends that Gamble’s Complaint dismissed without prejudice. She further recommends that Gamble’s IFP request, motion for copies, and motion for appointment of counsel be denied. Gamble has not filed objections to the R&R in the time period permitted. The Court therefore **ADOPTS** the R&R (Docket No. 25). Accordingly, **IT IS HEREBY ORDERED** that:

1. Plaintiff’s application for leave to proceed in forma pauperis (Docket No. 2) is **DENIED**;
2. Plaintiff’s “motion for copies,” (Docket No. 7) is **DENIED**;
3. Plaintiff’s motion for appointment of counsel (Docket No. 8), is **DENIED**; and
4. This matter is **DISMISSED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: Tuesday, November 10, 2009

s/ Paul A. Magnuson

Paul A. Magnuson
United States District Court Judge